

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
GREAT FALLS DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

CHRISTOPHER ALLAN STEINER,

Defendant.

CR 11-25-GF-BMM-01

**ORDER ADOPTING MAGISTRATE
JUDGE'S FINDINGS AND
RECOMMENDATIONS TO MODIFY
DEFENDANT'S SUPERVISED RELEASE**

United States Magistrate Judge John Johnston entered Findings and Recommendations in this matter on December 22, 2015. (Doc. 55.) Neither party filed objections. When a party makes no objections, the Court need not review de novo the proposed Findings and Recommendations. *Thomas v. Arn*, 474 U.S. 140, 149–152 (1986). The Court will review Judge Johnston's Findings and Recommendations, however, for clear error. *McDonnell Douglas Corp. v. Commodore Bus. Mach., Inc.*, 656 F.2d 1309, 1313 (9th Cir. 1981).

Judge Johnston conducted a revocation hearing on November 15, 2015. (Doc. 54.) Steiner admitted to violating his conditions of supervised release by using alcohol and methamphetamine. (*Id.*) Judge Johnston found the evidence

sufficient to establish that Steiner had violated the conditions of his supervised release. (*Id.*)

Judge Johnston recommends that the Court revoke Steiner's supervised release. (Doc. 55.) Judge Johnston recommends that the Court modify the conditions of Steiner's supervised release to include a condition that he be monitored by location monitoring technology for four (4) months. (*Id.*)

Steiner's violation grade is Grade C, his underlying offense is a Class B felony, and his criminal history category is II. He could be incarcerated for up to 36 months. He could be ordered to remain on supervised release for up to 48 months, less any custody time imposed. The United States Sentencing Guidelines call for four to ten months in custody.

The Court finds no clear error in Judge Johnston's Findings and Recommendations. Steiner's current violation is serious in nature. A sentence of location monitoring for four (4) months is sufficient, but not greater than necessary.

IT IS HEREBY ORDERED that Judge Johnston's Findings and Recommendations (Doc. 55) is ADOPTED IN FULL.

IT IS FURTHER ORDERED:

(1) that Defendant Christopher Allan Steiner's supervised release shall be revoked; and

(2) that the conditions of Steiner's supervised release are hereby modified to include the following condition:

The offender shall be monitored by location monitoring technology at the discretion of the probation officer for a period of 4 months, and shall abide by all technology requirements. The participant shall pay all or part of the costs of participation in the location monitoring program as directed by the court and probation officer. This form of location monitoring technology shall be utilized to monitor the following restriction on the offender's movement in the community as well as other court-imposed conditions of release:

You are restricted to your residence at all times except for employment; education; religious services; medical, substance abuse, or mental health treatment; attorney visits; court appearances; court-ordered obligations; or other activities as pre-approved in writing by the probation officer

DATED this 5th day of January, 2015.

A handwritten signature in blue ink that reads "Brian Morris". The signature is fluid and cursive, with "Brian" on top and "Morris" on the bottom, both starting with a capital letter.

Brian Morris
United States District Court Judge